

1982 WL 189340 (S.C.A.G.)

Office of the Attorney General

State of South Carolina

June 22, 1982

\*1 John W. Scott  
Director  
State Workers' Compensation Fund  
1026 Sumter Street  
Columbia, South Carolina 29201

Dear Mr. Scott:

You have requested the opinion of this Office whether the salary provided to the Director of the State Workers' Compensation Fund should be effective at 85% of the salary paid to Industrial Commissioners, in light of the Governor's veto of employee base pay increases, and the action of the Budget and Control Board freezing salaries at the FY 81-82 level.

By Act bearing Ratification Number 565, signed by the Governor on June 9, 1982, your salary as Director of the State Workers' Compensation Fund was set at 85% of an Industrial Commissioner's salary. This was effective in fiscal year 81-82 and in the opinion of this Office, was not affected by the Governor's veto of items in the Appropriations Bill or by the action of the State Budget and Control Board. If, as you have pointed out, the Act (R.565) had been signed at an earlier date the increase in your salary in FY 81-82 would have been effected and 'the question would never have come up'. The fact that the Act was not ratified until June 9, 1982, does not change the result. Your salary for the balance of FY 81-82 should be paid at the 85% figure provided in the Act.

Of course, the Governor's veto action and the action of the Budget and Control Board will not permit a further increase in FY 82-83. Your salary for the coming fiscal year must be maintained at 85% of the FY 81-82 salary of the Industrial Commissioners.

If you have any questions, do not hesitate to call me.

Sincerely,

Frank K. Sloan  
Deputy Attorney General

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